

### REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of this application. Claims 1-30 are pending in the current application. No claims have been canceled. No claims have been added. Claims 1-2, 6-9, 11-12, 16-19, and 21-30 have been amended.

#### **Double Patenting Rejections**

The Examiner rejected claims 1-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent No. 6,829,655 filed by Applicants. A terminal disclaimer in compliance with 37 C.F.R. §1.321(c) is enclosed with this response to overcome the double patenting rejection. Applicants respectfully request the Examiner to withdraw the rejection.

#### **Rejections Under 35 U.S.C. § 102(b)**

Claims 1-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,857,201 of Wright et al. ("Wright"). Applicants respectfully traverse the rejections.

Specifically, claim 1 as amended includes the limitation, or a limitation similar thereto, of:

retrieving a **record extraction sequence identification (ID)** from the server; providing the record extraction sequence ID to the computing device; and extracting from a database records that have been changed since a prior synchronization if the record extraction sequence ID matches a previously obtained record extraction sequence ID, wherein the extracted records are not already stored on the computing device. (Applicants' Independent Claim 1; emphasis added).

Wright fails to disclose at least retrieving a record extraction sequence ID from the server. According to Wright, the system includes Messaging APIs and Utility APIs. Messaging APIs are for sending specific messages to agents on the client device and the methods and events for the Messaging APIs include Send, Reply, Event, and OnMessage (Wright, col. 9, lines 17-23; TABLE 3). Arguments, such as client agent ID, developer defined method ID, are required for calling the Methods and Events (Wright, col. 9, TABLE 4). According to Wright, the GetAgentParm method merely allows a service to extract any of the parameters sent over to the FL server at log-on time (Wright, col. 10, ln. 43-44). Regarding the Utility APIs, the Utility APIs are used to perform functions such as setting timers, writing to the system log, and controlling the client's connection dialog (col. 9, line 52 – col. 10, line 50). Contrary to the Examiner's assertion, Wright does not disclose, mention, or imply retrieving a record extraction sequence ID from a server. Therefore, Wright fails to anticipate claim 1 as amended for at least this reason. Withdrawal of the rejection is respectfully requested.

For at least the reason discussed above with respect to claim 1, claims 6, 11, 16, 21, and 26 as amended are patentably distinguishable from Wright. Withdrawal of the rejection is respectfully requested.

Claims 2-5, 7-10, 12-15, 17-20, 22-25, and 27-30 depend, directly or indirectly, from claims 1, 6, 11, 16, and 21. Therefore, claims 2-5, 7-10, 12-15, 17-20, 22-25, and 27-30 are not anticipated by Wright for at least the reason discussed above with respect to claim 1. Applicants respectfully request withdrawal of the rejection.

### Rejections Under 35 U.S.C. § 103(a)

Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,831,664 of Wharton et al. ("Wharton") in view of U.S. Patent No. 6,000,000 of Hawkins et al. ("Hawkins"). Applicants respectfully traverse the rejections.

As discussed above, claim 1 sets forth at least retrieving a **record extraction sequence ID** from the server. In contrast, neither Wharton nor Hawkins discloses such a limitation. The Examiner admitted in the Office Action that Wharton does not disclose retrieving a record extraction sequence from the server (Office Action, p.3, paragraph 13). It is respectfully submitted that Hawkins also fails to disclose at least retrieving a record extraction sequence ID from the server.

According to Hawkins, the system includes a Sync Manager Library and a number of Conduit Libraries. The Sync Manager Library, implemented as a dynamic link library, is a set of routines for communicating with the handheld computer (Hawkins, col. 5, lines 14-38). Regarding the Conduit Libraries, each of the Conduit Libraries contains code for a corresponding database or program to be synchronized. A list of the conduit libraries and a user ID are stored in a sync registry for each database or program. (Hawkins, col. 5, line 39 – col. 6, line 3). Contrary to the Examiner's assertion, Hawkins does not disclose, suggest, or imply retrieving a record extraction sequence ID from the server.

Since neither Wharton nor Hawkins discloses at least the limitation of retrieving a record extraction sequence ID from the server set forth in claim 1, claim 1 is patentable over Wharton in view of Hawkins. Withdrawal of the rejection is respectfully requested.

For at least the reason discussed above with respect to claim 1, claims 6, 11, 16, 21, and 26 as amended are patentable over Wharton in view of Hawkins. Withdrawal of the rejection is respectfully requested.

Claims 2-5, 7-10, 12-15, 17-20, 22-25, and 27-30 depend, directly or indirectly, from claims 1, 6, 11, 16, 21, and 26. Therefore, claims 2-5, 7-10, 12-15, 17-20, 22-25, and 27-30 are patentable over Wharton in view of Hawkins for at least the reason discussed above with respect to claim 1. Applicants respectfully request withdrawal of the rejection.

**CONCLUSION**

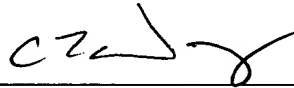
Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300, x377.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: February 4, 2005



Chui-kiu Teresa Wong  
Attorney for Applicants  
Reg. No. 48,042

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025-1026  
(408) 720-8300